

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CITIMORTGAGE, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:06CV01296 ERW
)	
FIRST PREFERENCE MORTGAGE)	
CORPORATION, et al.,)	
)	
Defendants.)	

ORDER

After considering the parties proposals, the Court will limit the scope of jurisdictional discovery in this matter as follows:

(1) The names and dates during which any persons were Insiders (as the Uniform Fraudulent Transfer Act (“UFTA”) defines that term) of both Citizens and First Preference, between December 2002 and August 28, 2006;

(2) The names and dates during which any entities were Affiliates (as the UFTA defines that term) of both Citizens and First Preference between December 2002 and August 28, 2006;

(3) The names and dates during which any persons were employees or shareholders (or held other ownership interests) of both Citizens and First Preference, between December 2002 and August 28, 2006;

(4) The identity and value of any assets Citizens and First Preference transferred to each other or to their common Affiliates, between January 1, 2005 and August 28, 2006;

(5) The identity and value of any of First Preference’s assets Citizens, First Preference or their common Affiliates, transferred to any Insiders between January 1, 2005 and August 28,

2006;

(6) What consideration Citizens or its Affiliates provided First Preference in exchange for the transfer of First Preference's assets to Citizens or one of its Affiliates;

(7) What consideration those entities, or their Affiliates, of which David Mann is or was an Insider provided First Preference in exchange for the transfer of First Preference's assets;

(8) The due diligence Citizens or its Affiliates, conducted for the purchase of First Preference's assets;

(9) Agreements between First Preference and Citizens State Bank under which Citizens State Bank provided funding or shared business to support First Preference's lending activities;

(10) Agreements between First Preference and other entities of which David Mann is or was an insider under which those entities provided funding or shared business to support First Preference's lending activities;

(11) Information regarding First Preference's solvency from January 1, 2005 to August 28, 2006, including but not limited to, tax returns, financial statements and any applications First Preference made to borrow money or act as a correspondent lender;

(12) Documents exchanged between Citizens and First Preference's entities or any of their Insiders relating to First Preference's ability to pay CitiMortgage, per the terms of the parties' agreements;

(13) Information of Citizens' commencement of operations and lending activities;

(14) The dates, topics discussed and participants in (in what capacity and on which entity's behalf they participated) any meetings, telephone conversations, correspondence or electronic messaging with CitiMortgage involving any of the agreements involved in this case.

The parties shall propound interrogatories and requests for production, from Plaintiff to all

Defendants and from any Defendant to Plaintiff, in accordance with the scope of discovery outlined above, no later than **March 12, 2007**.

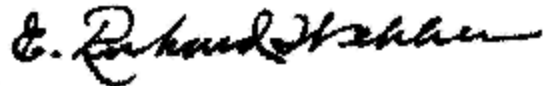
The parties shall, no later than **April 2, 2007**, answer any written discovery.

Mr. Mann and Mr. LaCombe shall be available for oral depositions within **TEN (10)** days of production of written discovery, or no later than **April 12, 2007**. Depositions shall be conducted at a time and location, by agreement of the parties, under the scope ruled by the Court.

The parties shall submit briefs, on the jurisdictional issue in this matter, within **THIRTY (30)** days, after Mr. Mann and Mr. LaCombe are deposed, or no later than **May 14, 2007**, unless that date is extended by the Court.

IT IS SO ORDERED.

Dated this 1st day of March, 2007.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written over a horizontal line.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE